



Serial No. 09/743,726

-5-

Art Unit: 3763



VERSION WITH MARKINGS TO SHOW CHANGES MADE

in the Claims

Claim 3 has been amended as follows:

3. (Amended) An agent delivery system as defined in claim 2 wherein the body has proximal and distal portions and coils along the proximal portion define a second inside diameter that does not accept the pellet.

Claim 4 has been amended as follows:

4. (Amended) An agent delivery system as defined in claim 2 wherein the coils at the distal portion of the body further define a diameter that does not accept the pellet.

Claim 5 has been amended as follows:

5. (Amended) An agent delivery system comprising:
a pellet containing a therapeutic ~~substance~~ agent;
a flexible and ~~plantable~~ implantable body defining an interior sized to accept the pellet and proximal and distal ends. The proximal end being sized to accept the pellet and at least one opening sized to permit bodily fluid to enter the interior of the device but to prevent the pellet from exiting the interior of the device;
an implant delivery device;
a pellet delivery tube engagable with the proximal end of the body.

Claim 10 has been amended as follows:

10. (Amended) An agent delivery system comprising:
a pellet containing a therapeutic ~~substance~~ agent;
a flexible, implantable body having an interior ~~configure~~ configured to receive the pellet and retain it after the implant has been placed in tissue;
an obturator configured to pierce tissue;

an insertion device configured to retain the pellet within the interior of the implant device for simultaneous delivery into an intended tissue location.